

To: Kirk Shermer[Kirk@snowdenenterprises.com]
Cc: Janelle Kay[Janelle@PyxisRC.com]; Watanabe, Allison[Watanabe.Allison@epa.gov]
From: Alkon, Margaret
Sent: Tue 4/26/2016 5:21:48 PM
Subject: LETTER JUST ARRIVED RE: Snowden - EPA Civil Administrative Penalty Enforcement Case

My mail room just called to say that the letter, with its April 12th stamp, was just delivered this morning.

So no need to send a fedex copy.

From: Kirk Shermer [mailto:Kirk@snowdenenterprises.com]
Sent: Thursday, April 21, 2016 7:56 AM
To: Alkon, Margaret <Alkon.Margaret@epa.gov>
Cc: Janelle Kay <Janelle@PyxisRC.com>; Watanabe, Allison <Watanabe.Allison@epa.gov>; Kirk Shermer <Kirk@snowdenenterprises.com>
Subject: RE: Snowden - EPA Civil Administrative Penalty Enforcement Case

Good morning Margaret,

We mailed the financial information on April 12. I have asked Janelle to set up a conference call for us on Tuesday April 26th at 10am.

Regards,

Kirk

Kirk Shermer

Snowden Enterprises, Inc.

Phone

(559) 237-5546

Cell
Fax
Email

Ex. 6 - Personal Privacy
(559) 237-6383
kirk@snowdenenterprises.com

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From: Alkon, Margaret [<mailto:Alkon.Margaret@epa.gov>]
Sent: Wednesday, April 20, 2016 5:17 PM
To: Kirk Shermer <Kirk@snowdenenterprises.com>
Cc: Janelle Kay <Janelle@PyxisRC.com>; Watanabe, Allison <Watanabe.Allison@epa.gov>
Subject: Snowden - EPA Civil Administrative Penalty Enforcement Case

Dear Mr. Shermer:

I am following up on our conversation of last week with two points to discuss.

First, have you mailed to me the financial information we discussed, to verify the size of business (gross revenue) of Snowden Enterprises? If so, please let me know when it was mailed so I can check with my mail room. If not, let me know if there is an issue with identifying or sending to me the relevant information.

Once I get that information, I will revise the penalty settlement document and send it to you for review and signature.

Second, we also want to discuss one more point regarding compliance with FIFRA: For section 7 reporting, Snowden should be reporting formulation when it appears that you have been reporting repackaging. We would like Snowden to correct its incomplete Section 7 reports within the next thirty days and prior to certifying compliance with FIFRA in the settlement document. As I am sure you will wonder if this involves an additional penalty, I am including a link to our

penalty policy below but there is no penalty assessed for this type of minor incomplete reporting when a first time violator promptly corrects the error. See page 8 of EPA's Enforcement Response Policy for FIFRA Section 7(c).

<https://www.epa.gov/enforcement/enforcement-response-policy-fifra-section-7c-establishment-reporting-requirements-may>

Allison and I would be available for a short phone call Thursday April 21st at 11am or Tuesday April 26th at 10am. Let me know if either of those times works for you, or propose a different time if neither of those times works for you.

Sincerely,

Margaret Alkon

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Margaret Alkon

Assistant Regional Counsel (ORC-2)

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